HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.795 of 2007

Dated:22.01.2007

Between:

M/s. Sri Manarupa Meadows (P) limited and others.

…Petitioners.

and

The Mandal Revenue Officer, Ranga Reddy District. and others.

…Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.795 of 2007

ORDER:

Petitioners challenge the validity of letter, dated 04.01.2007, issued by the Mandal Revenue Officer, Shamshabad Mandal, the 1st respondent herein. Through the said letter, the 1st respondent requested the District Registrar, Ranga Reddy District, the 3rd respondent herein, not to register any sale transactions, in respect of the lands in Sy.Nos.103 (717.29 acres) and 725 (343.15 acres) of Shamshabad Village. According to them, the said lands are classified as 'Government lands'.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

On the face of it, the letter, dated 04.01.2007, is without jurisdiction. The only provision, which enabled the Government to issue such instructions, was Section 22-A of the Registration Act, 1908. That even was struck down by the Hon'ble Supreme Court in ***State of Rajasthan v. Basanth Nahata***[1]. Further, a Division Bench of this Court in ***Mandadi Nirmala v. District Collector, Hyderabad***[2], issued necessary directions and dealt with the said issue. When the Government itself is denuded of the power to require the registering authorities not to register documents in relation to specified lands, the

question of the 1st respondent in exercising such power, does not arise.

The Writ Petition is accordingly allowed and the letter, dated 04.01.2007, is set aside. There shall be no order as to costs.

Dt.22.01.2007 **L.NARASIMHA REDDY, J**

GJ

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[1] AIR 2005 SC 3401=(2005) 12 SCC 77

[2] 2000 (2) ALT 64 (D.B.)